



**News Flash** – The Centers for Medicare & Medicaid Services (CMS) has announced the contract suppliers for the Round 1 Rebid of the Medicare Durable Medical Equipment, Prosthetics, Orthotics and Supplies (DMEPOS) Competitive Bidding Program. The list of contract suppliers is now available at [http://www.cms.gov/DMEPOSCompetitiveBid/01A2\\_Contract\\_Supplier\\_Lists.asp](http://www.cms.gov/DMEPOSCompetitiveBid/01A2_Contract_Supplier_Lists.asp) on the CMS website. Visit the CMS web site at <http://www.cms.gov/DMEPOSCompetitiveBid> to view additional information on the Round 1 Rebid.

MLN Matters® Number: MM6988

Related Change Request (CR) #: 6988

Related CR Release Date: December 10, 2010

Effective Date: January 12, 2011

Related CR Transmittal #: R361PI

Implementation Date: January 12, 2011

## Face Validity Assessment of Advance Beneficiary Notice (ABN) for Complex Medical Record Review

### Provider Types Affected

All providers submitting claims to Medicare contractors (Carriers, Fiscal Intermediaries (FIs), Regional Home Health Intermediaries (RHHIs), Part A/B Medicare Administrative Contractors (A/B MACs) and Durable Medical Equipment (DME) MACs) for services provided to Medicare beneficiaries are affected.

### Provider Action Needed

This article is based on Change Request (CR) 6988. This CR advises contractors about the addition of Section 3.15, ABN and Complex Medical Record Review, to Chapter 3 of the Medicare Program Integrity Manual (PIM). This addition directs contractors to request, as part of the Additional Documentation Requests (ADRs), required ABNs when performing a complex medical record review on all claims. Please ensure that your staffs are aware of this change.

### Background

Requesting required ABNs on all claims undergoing complex medical record reviews and conducting face validity assessments of mandatory ABNs will assist in ensuring that liability is assigned appropriately in accordance with the Limitation on Liability Provisions of section 1879 of the Social Security Act.

#### Disclaimer

This article was prepared as a service to the public and is not intended to grant rights or impose obligations. This article may contain references or links to statutes, regulations, or other policy materials. The information provided is only intended to be a general summary. It is not intended to take the place of either the written law or regulations. We encourage readers to review the specific statutes, regulations and other interpretive materials for a full and accurate statement of their contents.

The instructions in the Medicare Claims Processing Manual Chapter 30 Section 50.6.3 address how to complete an ABN. In CR 6563, Healthcare Common Procedure Coding System (HCPCS) level 2 modifiers have been updated in order to distinguish between voluntary and required uses of liability notices. The MLN Matters® article related to CR 6563 may be viewed at <http://www.cms.gov/MLNMattersArticles/downloads/MM6563.pdf> on the Centers for Medicare & Medicaid Services (CMS) website.

## Additional Information

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If you have questions, please contact your Medicare carrier and/or MAC at their toll-free number which may be found at <http://www.cms.gov/MLNProducts/downloads/CallCenterTollNumDirectory.zip> on the CMS website.

The official instruction, CR 6988, issued to your Medicare carrier and/or MAC regarding this change may be viewed at <http://www.cms.gov/Transmittals/downloads/R361PI.pdf> on the CMS website.

**News Flash - It's a Busy Time of Year.** Make each office visit an opportunity to talk with your patients about the importance of getting the seasonal flu vaccination and a one-time pneumococcal vaccination. Remember, Medicare pays for these vaccinations for all beneficiaries with no co-pay or deductible. The seasonal flu and invasive pneumococcal disease kill thousands of people in the United States each year, most of them 65 years of age or older. The Centers for Disease Control and Prevention (CDC) also recommends that health care workers and caregivers be vaccinated against the seasonal flu. Protect your patients. Protect your family. Protect yourself. **Get Your Flu Vaccine - Not the Flu.** Remember – Influenza vaccine plus its administration are covered Part B benefits. Note that influenza vaccine is NOT a Part D covered drug. For information about Medicare's coverage of the influenza vaccine and its administration, as well as related educational resources for health care professionals and their staff, please visit [http://www.cms.gov/MLNProducts/Downloads/Flu\\_Products.pdf](http://www.cms.gov/MLNProducts/Downloads/Flu_Products.pdf) and <http://www.cms.gov/AdultImmunizations> on the CMS website.

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